

### **REMARKS**

This Application has been reviewed in light of the Final Office Action mailed December 5, 2006 and Advisory Action mailed March 20, 2007. Claims 1, 3-8, 10-14 and 16-21 are pending in this Application. Claims 1, 3-8, 10-14 and 16-21 were rejected. Claims 2, 9 and 15 were previously cancelled without prejudice or disclaimer. New Claim 22 has been added. Applicants respectfully request reconsideration and favorable action in this case.

#### **Summary of Interview**

Applicant's representative, Anthony P. Iannitelli, and Examiner Benjamin A. Ailes participated in an telephonic interview 27 February 2007 regarding then pending claims 1-21. The substance of the interview was an inquiry as to the previous refusal by the Examiner to enter proposed amendments made after final rejection of the pending claims. The Examiner repeated the statement of his Advisory Action dated 13 February 2007 that the claims submitted included new claim language that would require further search and/or consideration. As a result, Applicant filed a new Response to Office Action with amended claims that were entered as reported in the Advisory Action of 20 March 2007.

#### **Rejections under 35 U.S.C. § 102**

Claims 1, 3-8, 10-14 and 16-21 stand rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0100036 by Sean Moshir et al. ("*Moshir*").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that *Moshir* cannot anticipate the rejected Claims, because *Moshir* does not show all the elements of the present Claims.

Claim 14 is allowable over *Moshir*.

Claim 14, as amended, recites an information handling system, wherein a network configuration includes, among other limitations, processing resources performing operations comprising:

generating output data that identifies *an invalid attribute* among the discovered attributes *and a corresponding valid attribute* from the predefined set of valid device attributes.

Applicants respectfully submit that *Moshir* fails to disclose all these elements. The Examiner relies on Paragraph 88 of *Moshir*. Office Action, Paragraph 6 and Advisory Action, Paragraph 11). In particular, the Examiner argues that *Moshir* teaches:

output data that identifies an invalid attribute among the discovered attributes and a corresponding valid attribute from the predefined set of valid device attributes (par. 88 report indicating the computers needing the patch and the computers that can't receive the patch until... software is upgraded).

(Office Action, Page 3).

*Moshir*, as described by the Examiner, discloses "output data" that identifies target computers as needing a patch, already possessing the patch, or not properly configured to receive the patch. See Paragraph 88. The Examiner further argues that "*Moshir* teaches on the output data wherein a report is generated that contains the discovered attributes including valid and invalid." Advisory Action, Paragraph 11. The citation to *Moshir*, however, fails to point out any portion of *Moshir* that describes a report including *both* pieces of information -- that is, an invalid attribute and a corresponding valid attribute as a set -- required to satisfy the limitation of Claim 14. The identified data is, at best, either an indication of a valid attribute (e.g., "computer possesses the patch") or an indication of an invalid attribute (e.g., "computer needs the patch") but never both the invalid and corresponding valid attribute (e.g., "computer currently has patch 3 and needs patch 10").

Even assuming that this "output" could be properly equated with either the "valid attributes" or the "invalid attributes" recited in Claim 14 (which Applicants do not concede), none of the cited portions of *Moshir* disclose, teach or suggest output data identifying *both* "an *invalid* attribute" *and* a "*corresponding valid* attribute." *Moshir*, therefore, does not

disclose “generating output data that identifies an invalid attribute among the discovered attributes and a corresponding valid attribute,” as recited in Claim 14.

For at least these reasons, amended Claim 14 is allowable over *Moshir*. Therefore, Applicants respectfully request reconsideration and allowance of amended Claim 14, as well as Claims 16-21 that depend therefrom.

Claims 1 and 8 are allowable over *Moshir*

For reasons analogous to those discussed above regarding amended Claim 14, Applicants request reconsideration and allowance of amended independent Claims 1 and 8, as well as Claims 3-7 and 10-13 that depend therefrom.

New Claim 22 is Allowable over *Moshir*

Claim 22 recites:

receiving user input requesting validation of the network configuration;  
in response to the user input, automatically discovering **hardware attributes** of devices in the network;  
automatically comparing the discovered **hardware attributes** with a predefined set of valid hardware attributes; and  
generating output data that indicates whether the discovered **hardware attributes** match the valid hardware attributes.

*Moshir* fails to teach all of the limitations of new Claim 22 as it fails to address hardware attributes of network devices. On the contrary, *Moshir* appears to be directed to rolling out software patches to individual computers associated with a network, as stated in Field of the Invention [0003]:

The present invention relates to systems and methods which update existing software across a remote network. The invention relates more specifically to checking for the need for updating and the updating the software as required across a client-server system without the need for human oversight.

Claim 22, on the other hand, performs a validation of the network configuration which includes validating hardware attributes of devices associated with the network. *Moshir*

is not sufficient to render Claim 22 obvious because it does not disclose, teach or suggest validation of hardware attributes.

**Request for Continued Examination (RCE)**

Applicants respectfully submit herewith a Request for Continued Examination (RCE) Transmittal and authorize the Commissioner to charge the filing fee of \$790.00 to Deposit Account No. 50-2148 of Baker Botts L.L.P.

**Petition For Extension Of Time**

Applicants respectfully submit herewith a Petition for One-Month Extension of Time Request. Applicants authorize the Commissioner to charge the amount of \$120.00 for the required filing fee to Deposit Account No. 50-2148 of Baker Botts L.L.P.

**CONCLUSION**

Applicants appreciate the Examiner's careful review of the application. Applicants have made an earnest effort to place this case in condition for examination and allowance. For the foregoing reasons, Applicants respectfully request reconsideration of the rejections and full allowance of Claims 1, 3-8, 10-14 and 16-21 as well as allowance of new Claim 22.

Applicants authorize the Commissioner to charge \$790.00 for the Request for Continued Examination fee and to charge the amount of \$120.00 for the Request for Extension of Time to Deposit Account No. 50-2148 of Baker Botts L.L.P. Applicants believe there are no additional fees due at this time, however, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

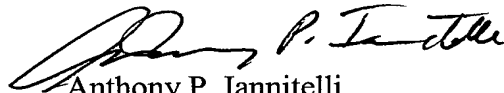
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If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2642.

Respectfully submitted,  
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Date: 5 April 2007

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Enclosures: 1) Request for Continued Examination Transmittal  
2) Petition for One Month Extension of Time